

G. R. S. IX-5]

*Present*

Previous references.

*lets 186-17 (164)*  
*" 97-17 (167)* 1918.  
( *bbs* )

File No. *219-18*

Serial Nos. *166*

Later references.

*proe 38-19 (1697)*

## GENERAL AND REVENUE SECRETARIAT.

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Serial Nos. *Six*

Part B for *July 1919*

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SUBJECT.

*Trial in bysore of Razali accused  
of an offence under S. 411.*

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*Indira*  
*18/8/19.*

## GENERAL AND REVENUE SECRETARIAT.

( *Chouk* )

## NOTES.

File No. 219-18

## FILE HEADING.

*Trial in Mysore of Ranganli  
accused of an offence under S. 411*

From

*The Dist. Magistrate, Bangalore*

No. *JC 824* Dated *7-3-1919* Received *10-3-1919*

Diary No. / *2553*

Enclos. /

Spare Copies.

Serial No. /

## BRIEF ABSTRACT OF LETTER.

*Forwarded copy letter no 455 from  
the City Magistrate & requests that the  
Recy. may be addressed early in the  
matter*

## NOTES AND ORDERS.

*The accused has been charge  
shelter by the city Police for an  
offence under S. 411. The jewels  
in question were stolen in crim.  
station so that the offence of*

Serial  
No.

Thrift has been committed ~~the~~  
~~outside State limits~~  
~~Br. India~~. The Reay has to  
be addressed under S. 188  
(2) of Cr. P. C. only in cases  
where the accused is tried  
here <sup>as has been</sup> for ~~the~~ offence committed  
in Br. India and the accused  
is a subject of ~~the~~ the  
Maharaja. Information  
on the latter point has not  
been given.

Encl. for orders.

Am  
11/3

2) If no case as pro<sup>to</sup> ~~for~~ under  
S. 411 I.P.C. stand before the acc<sup>used</sup>  
to trial for theft?

3) Please put up draft  
calling for inf<sup>o</sup>

Am  
11/3

4) Draft sub<sup>o</sup>.

SG  
12/3

Am  
12/3

5) J. m.  
Am  
13/3

2

To The D. M. Blore.

Sd/- 20 883 of 19-329

Requests to intimate whether it is intended  
to try the accused in Blore for the

Serial  
No.

offence of theft and whether the accused  
is a subject of H.H. the Maharaja  
or a Bz Subject

3.

From the D.C. Mysore Bangalore  
J. C 824 D. 29-3-1919

Forwards copy of the letter  
of the City Magistrate, Bangalore in  
furtherance of the trial & national-  
ity of Rayali & state that  
the case may be completed  
here if the Hon'ble the Resident  
accords his sanction.

6) It is reported that the  
accused is not a subject of  
of H. & the Maharaja. In  
that case 8.188 Cr. P. C. does  
not apply. It is submitted that  
8.188 is intended to give juris-  
diction to the local courts over  
offences committed outside  
Mysore by subjects of the State.

7) It is a point for con-  
sideration whether in the present  
case the City Magistrate has juris-  
diction to try for any other offence  
than that committed within

CHIEF  
PROTECTION BRANCH.  
1 MAR 1919



Serial  
No.

offence of theft and whether the accused  
is a subject of H.H. the Maharaja  
or a Bz Subject

3.

From the Dist. Magistrate Bangalore  
J. C 824 D. 29-3-1919

Forwards copy of the letter  
of the City Magistrate, Bangalore in  
furtherance of the Order & resolution  
of the Rajali & State Court.  
The case may be completed  
here if the Hon'ble the Resident  
accord his sanction.

6) It is reported that the  
accused is not a subject of  
of H. H. the Maharaja. In  
that case 8.188 Cr. P. C. does  
not apply. It is submitted that  
8.188 is intended to give juris-  
diction to the local courts over  
offences committed outside  
Mysore by subjects of the State.

7) It is a point for con-  
sideration whether in the present  
case the City Magistrate has juris-  
diction to try for any other offence  
than that committed within

Serial  
No.

the State limits, viz. the offence of retention of stolen property.

8) It is also a point for order ~~if~~ under these circumstances a reference to the Resg is necessary.

Subw. for orders

867  
7/4  
Add  
7/4

9) An offence, under S-411 I. P. C. has been committed in the City to name, the City Magistrate may, I think, try the case to no question of waiver seems to arise in this case.

Since the accused is not a subject of the State, S. 188 seems to be inapplicable to the case. Being an important case in which the Mysore Police have traced the offender on suspicion, intimation may be given to the Residency in the matter.

10) Draft put up as draft.

D. M.

9/4

11) Subw. with the draft.

867  
10/4  
Add  
10/4

12) Subw. for app. a order

D. M.  
10/4

Chief Secy

13) Please revise draft

as noted on it. Copies of communications of subordinate officers should not be sent to Resg unless absolutely necessary. C. S. D.

cto File No. 219 of 1918.

Serial  
No.

Revised draft Subd.

14 It is not quite clear from the correspondence whether the accused is charged for theft & also under Sec 411, IPC. The draft is worded generally & no mention of any offence is made, subject to approval.

15 As no question of waiver of jurisdiction arises in the case & as mere intimation is being sent to the Residency, it is for orders if a reply may be sent to the Dt. Magistrate to the effect that the trial may be completed, as no sanction of the Hon'ble the Resident is necessary.

AM  
24/4

Chief Secy

16 Fresh draft put up for approval  
Dec. 24/14

17 Yes. This is also necessary. The City Magistrate's reading of Sec 188 is absurd.

14 Issue

cto

27/4/19

Dec. 28/14

4. To the F. &amp; Resident.

Pol. 1092

D. 1-5-1919

Intimates the arrest of one Rangan. by the City Police found disposing of Karmals said to be stolen from Barton

Serial  
No.

for & co. & this trial before  
the City Magistrate, Bangalore.  
(9) Encl. with a draft to the  
City Magistrate, Bangalore  
a four orders in para 17 & supra.

By  
S/S  
Am  
S/S

20) D. M.  
14/5

5 To

The Dist. Magt., Bangalore Dist.

No. 25896 of 17-5-19

With ref. to 8(3) states that no case of waiver  
under Sect 188 Cr. P. Code arises in the case in  
question. Since the accused is not a subject of  
the Mysore State & that the trial may be completed  
and requests that the result of the trial may  
be reported

6. From

The Dist. Magt., Bangalore

Dy. Dir. 104 of 30-6-19.

Reports the result of the trial  
of Razuli.

21) The Regy. was intimated  
about the arrest & trial of  
the accused (vide 8(4)), and  
the steps of the properties took

Serial  
No.

place ~~in~~ <sup>in</sup> confinement. The  
Resy. may perhaps be informed  
of the result of the trial.  
Encl. with a draft <sup>to the Resy.</sup> for  
approval or other orders.

86/6/22) It does not seem necessary to  
intimate the result of the trial to the  
Residency, as no question of waiver was  
involved in the case. Her intimation was  
sent to Resy <sup>in the first instance</sup> because the case was considered  
to be an important one (Please see para 9 supra).

23) The Canichan by the Magistrate has  
been for an offence punishable under Sec 379  
or 411 of the IPC. It is not clear if the  
Magistrate had jurisdiction to try the accused  
for theft committed in C.M. limits, or  
not, whether the Canichan in the alternative  
is in order.

Appr  
8/7  
24) I am afraid the conviction  
in the alternative is illegal  
the City Magte had no jurisdic-  
tion to sentence the accd for  
theft which according to the  
prosecution itself was committed  
in the C + M station.

General and Revenue  
Secretariat.

Cont. File No. 219 of 1918.

Serial  
No.

25) As the man was arrested, tried and sentenced in the City limits it is not necessary to report the result of the case to the Resy.

Chief Secy

SMB  
9-7-19

I think so.

28x  
247 SMB

Replied for orders as to whether the papers may be filed. No orders have been passed in regard to the point mentioned in papers 23~~24~~.

Aon  
247

Submitted for orders ~~as to whether the matter may be dropped~~ as to whether the matter may be dropped. The order shd have appeared. The papers may be filed. SMB  
26.7.19

PROTECTOR BRANCH  
AUG 1919

Office of the District Magistrate,  
Bangalore District.

Dated Bangalore, 5th March 1919.

No....

From

P.F.Bowring, Esq.,  
District Magistrate,  
Bangalore District.

12553

CL  
219-18

To

C.S.Balasundaram Iyer, Esq., B.A.,  
Chief Secretary to the Government of His Highness  
the Maharaja of Mysore, Bangalore.

Sir,

I have the honor to forward herewith, for ready reference, a copy of a communication No.455 under date 3rd March 1919 received from the City Magistrate, Bangalore, and to request that, as the accused is in custody, you will be so good as to move the Hon'ble the British Resident, in Mysore, in the matter, and to favour me with an early reply so that the disposal of the case may be expedited.

I have the honor to be,

Sir,

Your most obedient servant.

*P. Bowring*  
*P.F. Bowring*

District Magistrate,  
Bangalore District.

L.S.R.  
1.

60988

1919

From

The City Magistrate  
Bangalore

To

The Chief Secretary  
to the Government of  
Mysore Bangalore

Dated

5-3-19

Despatched

7

Received

General No.

9824

No.

18-19

Enclosure No.

1

Submits copy of a  
communication received  
from the City Magistrate  
Bangalore for review  
of orders under Sec:

188 G.O. P. 6.

del  
SIC  
Draft  
Draft to R. S. S. S.  
To  
183

Letter No.455 dated 3rd March 1919, from the City  
Magistrate, Bangalore, to the District Magistrate, Bangalore.

-----  
I have the honor to bring to your notice that one Ibrani  
named Razali was found disposing off a pair of cut ruby Kamals  
valued at Rs.250/- on the 29th January 1919 within the City  
limits and a charge sheet was placed before this court under  
section 411, Indian Penal Code by the City Police. During the  
course of the trial of the case it was found that the Kamals  
were stolen from the shop of Messrs Barton Son & Co., C. & M.  
Station, outside the jurisdiction of this court and this case  
cannot under para 2 of section 188 of the Mysore Criminal Pro-  
cedure Code (Regulation II of 1904), be tried by this court un-  
less and until the British Government waives its right to de-  
mand the surrender of the accused.

I request therefore that the District Magistrate may be  
so good as to obtain the orders of the Hon'ble the British  
Resident in Mysore either demanding the surrender of the ac-  
cused or waiving his right to do so. In the latter case, the  
case will be proceeded with here and disposed of in the usual  
course.

The accused is remanded to Jail pending orders of the  
District Magistrate.

-----  
"C O P Y"

*P. K. Rangaswami*  
*A.C. in Ch. Charge*

District Magistrate,  
Bangalore District.

*DKK*

L.S.R.  
1.

SUBJECT.....  
.....  
.....

Diary No. of letter replied to.....

Section C5

File No. 219-18.

Serial No. 2

GENERAL AND REVENUE SECRETARIAT,

( )  
the 191 .

No. 420883

Date of issue..... 19.3.19

Signed by..... W. T. P. M.

To  
The District Magistrate  
Bengaluru  
Sir,  
With reference to  
your letter no J. C 824, D. 7-3-19  
requesting that the Honble  
the Resident may be  
addressed in the matter  
of business by British Court  
of its right to demand  
the surrender of the accused  
Razali, I am directed  
to enquire how a  
over.

1/1/19

~~prosecution under S. 411 D.P.e~~

~~can stand before the accused~~

~~is tried for the same whether~~

it is intended to try

the accused here for

the offence of theft

~~I find further to~~

~~regard as to whether if~~

and whether subject  
the accused is a native

of H. H. the maharaja

or a British subject

I have etc.

P<sup>m</sup> 13/3

For Chief Secy.

86  
12/3.  
AM  
12/3

List of enclosure

Copied by

Examined by

Dated Bangalore, 29th March 1919.

65375

From

*Chief* P.B. Bowring, Esq.,  
District Magistrate,  
Bengaluru District.

To

C.S. Balasundaram Iyer, Esq., B.A.,

Chief Secretary to the Government of His Highness  
the Maharaja of Mysore, Bangalore.

DIARY No. 14277

19 19

SECTION *CS*

FILE No. *219-18*

SERIAL No. *3*

is Highness

Adverting to your letter No.G.20883/Cts.219-18-2 dated 19th March 1919 enquiring whether it is intended to try the accused Razali here for the offence of theft and whether the accused is a subject of His Highness the Maharaja or a British subject, I have the honor to enclose herein for ready reference a copy of the City Magistrate's letter No.615 dated 24th March 1919 and to add that, as the trial of the case have already progressed at great length, it may be completed here if the Hon'ble the British Resident accords his sanction to do so.

As regards the query, whether the accused is a subject of His Highness the Maharaja or a British subject - it is ascertained that he is neither. He seems to be a subject of Afganistan.

I have the honor to be,

Sir,

Your most obedient servant.

District Magistrate,  
Bangalore District.

L.S.R.  
1.

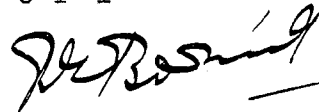
Letter No.615 dated 24th March 1919, from the City Magistrate, Bangalore, to the District Magistrate, Bangalore.

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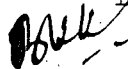
With reference to your Memo No.824 of 1918-19 dated 22nd March 1919, regarding the trial of one Rizali accused in criminal case No.502 of 1918-19 in the file of this court, I have the honor to state that theft of the property was committed in the shop of Messrs Barton Son & Co., within the limits of the Civil and Military Station, Bangalore, but the accused was arrested and the property seized within the City limits. As no complaint was made by Messrs. Barton Son & Co., to the Civil and Military Station Police, the Cantonment Police said that they had no objection to the City Police working up the case (Vide., the reply of Inspector enclosed for reference). The case was taken on the file of this court and the trial ~~was~~ ~~taken~~ has been almost completed. The case can be tried here if the Hon'ble the British Resident accords his sanction to do so.

As regards the query whether the accused is a subject of His Highness the Maharaja or a British subject it is ascertained that the accused is neither a British subject nor a subject of His Highness the Maharaja, he being one of the wandering tribes of Khander.

"C O P Y"



District Magistrate,  
Bangalore District.



Submitted:-

An Irani was found disposing off a pair of cut-ruby Kammals at 'Saraf Katte' yesterday morning and feeling suspicious of his being in possession of a costly jewel, I made enquiries and find, that the said Irani with two others visited the shop of Messrs Barton Son & Co., on Monday last, wherefrom, they appear to have made away with the Kammals in question. It is not known if the Cantonment Police have been report of the occurrence of theft by the Firm; but as my enquiry goes to prove that the Irani was trying to dispose off stolen property within the meaning of section 411 I.P.C. I am proceeding with the enquiry and would like to know from the Cantonment Police, if a case of theft has been registered by them, in which case, I would prefer proceeding with my enquiry, like to know how they would deal with the matter. This may be treated as urgent and a reply asked for before evening.

30/1/1919.

Sd/- C.Krishni *ager*,  
B.Division Inspector.

-----  
No complaint has been made by Messrs Barton Son & Co., to the C.Circle Police. There is no objection to the case being charged by the City Police.

Sd/- J.Smith,  
Inspector.  
30/1/'19.

-----  
"C O P Y "

*[Signature]*  
District Magistrate,  
Bangalore District.

L.S.R.  
1.

SUBJECT

Yrial in Mysore of one Irani named  
Razali a subject of Afghanistan. SF

Diary of letter replied to 1427

Section Cans

File No. 24928

Serial No. 4

GENERAL AND REVENUE SECRETARIAT

( Cans )

, the

191

No. 702.1052

1512 MC

Date of issue 1-5-1919

To

The J. A. Resident  
in Mysore

Signed by Mr. C. S. B. J. Gen

The 55

Sir

I am directed to state  
for the information of the Hon. the Resident  
that one Irani named Razali —  
said to be a subject of Afghanistan —  
having been found disposing  
of a pair of cut ruby kamals  
within the Bangalore city limits  
on the 29th January 1919, the  
City Police made enquiries and

over.

CP 29/4

found that the kamals had been  
stolen from the shop of Messrs  
Barton Son and Co, South Parade,  
by the said Drani and two  
others. As no complaint regarding  
the theft had been made by  
Messrs Barton Son & Co, the case  
was, with the consent of the  
CDM Station Police, worked  
up by the City Police and the  
accused charged before  
the City Magistrate, Bangalore.  
The trial is proceeding.

Shave

CSH  
27/4/19

Chief Secy

M. N. N. N.

List of enclosures..

ANL  
24/4

Copied by

Examined by.

SUBJECT.....

Diary No. of letter replied to.....

Section 45

File No. 213-18

Serial No. 5

GENERAL AND REVENUE SECRETARIAT.

( )  
the 191

No.

425896

Date of issue..... 17/5/19

To

The City Magistrate  
Bangalore.

Signed by.....

W. M. P. M.

By

With reference to  
correspondence kindred with  
your letter no J. 824 D  
29th March 1919, re the  
trial of Ranyali before  
the City Magistrate, Bangalore,  
I am directed to state  
that no case of waiver  
under S. 188 Cr. P. Code,  
over.

15/5

arises in the case in question  
since the accused is not  
a subject of the Mysore  
State and ~~then~~ ~~therefore~~  
that the trial may  
be completed..

I am <sup>also</sup> to request  
that the result of  
the trial may be  
reported to Govt.

Copy  
to  
D. M. S. -

I have etc.  
D. M. S.  
For Chief Secy

List of enclosures..

8/9  
5/5  
Am  
5/5

Copied by

Examined by.

Office of the District Magistrate,

Bangalore District,

Dated Bangalore 28th June 1919.

From

M.A. Narayana Iyengar, Esq., B.A., B.L.

District Magistrate,

Bangalore District.

259.

|          |        |
|----------|--------|
| SECTION  | 25     |
| FILE NO. | 218-18 |
|          | 6      |

To

C.S. Balasundaram Iyer, Esq., B.A.,

Chief Secretary to the Government

of His Highness the Maharaja of Mysore,

B a n g a l o r e.

Sir,

I have the honor to report for the information of Government that the City Magistrate Bangalore in his letter No. 1141 under date 13/21-6-1919 brings to notice that Razali accused in C. C. No. 502 of 18-19 on the file of his court (referred to in your letter No. G. 25896/Cts. 219-18-5 dated 17-5-1919) was convicted and sentenced to one year's rigorous imprisonment on 13-6-1919 for an offence punishable under Section 379 or 411 of the Indian Penal Code.

I have the honor to be,

Sir,

Your most obedient servant,

M. A. Narayana Iyengar

District Magistrate,  
Bangalore District.

DBK

1919

From The Dist. Magistrate  
Bangalore Dist.

To The Chief Secretary  
to the Government of  
His Highness the  
Maharaja of  
Mysore.

Dated 28-6-19

Despatched 30-6-19

Received

General No. 2 Dist: 10th 9th 1919  
No.

Enclosure No. - Nil -

Reports that Razali  
Secretary's  
referred to in letter

no. G. 25896 of 17-5-19 -  
cts 219-18-5

was convicted & sentenced

to one years R. I. on 3<sup>6</sup>/<sub>19</sub>

by the city magistrate

Bangalore under Sec.

379 or 411 S. P. 6.

1427

General

to the Resident

1417

45  
417

CHIEF SECRETARY  
PROTECTION  
4 JUL 1919